

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3, 5-12, and 14-27 are currently pending in the application; Claims 1-3, 5-12, 14-18, 20, 22, 24, and 26-27 are amended; and Claims 4 and 13 are canceled by the present amendment. Support for the amended claims can be found in the original specification, claims and figures.¹ No new matter is presented.

In the outstanding Official Action, the drawings and specification were objected to because of minor informalities; and Claims 1-27 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nakamura et al. (U.S. Patent No. 5,913,039, hereinafter "Nakamura"), in view of Wiser et al. (U.S. Patent No. 6,868,403, hereinafter "Wiser").

The outstanding Official Action rejected the drawings and specification due to minor informalities. Specifically, Fig. 43 was objected to because it failed to contain any diagrams or similar graphic representations. In response, Fig. 43 is deleted by the present amendment. Further, the outstanding Official Action noted a typographical error on page 39 in the specification. In response, the specification is amended to recite "server 102" instead of "sever 102".

Accordingly, Applicant respectfully requests the objection to the specification and drawings be withdrawn.

Applicants respectfully submit that amended independent Claims 1, 10, 18, 22, 26 and 27 state novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 1 relates to a method of reserving and accessing resources in a distribution server. Reservation request information, including a desired service time, is sent from a user terminal apparatus to a reservation control apparatus via a

¹ e.g., specification, Figs. 1 and 37.

first network. In response, the reservation control apparatus creates authentication information corresponding to an accepted reservation, and sends the authentication information from the reservation control apparatus to the user terminal apparatus via the first network. The received authentication information is then stored in a storage area of the user terminal apparatus and sent from the user terminal apparatus to the distribution server when attempting to access the distribution server to distribute content. After sending the authentication information from the user terminal apparatus to the distribution server, an authentication step is performed to determine whether the use of the distribution server is accepted. Once the user terminal apparatus is authenticated, the user terminal apparatus transmits content to the distribution server via a set second network, which is then broadcast by the distribution server over the first network.

By adopting such a reservation system for live distribution, it is possible for many users of the distribution server to effectively distribute content. Each user terminal apparatus must reserve its distribution time slot in advance by accessing the reservation control apparatus, thereby more efficiently using the resources of the content distribution server for effective distribution of content (e.g., live streaming video from the user terminal apparatus, for example).

The requirements for a *prima facie* case of obviousness are (1) there must be some suggestion or motivation of the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the references or to combine the reference teachings, (2) there must be a reasonable expectation of success, and (3) the prior art reference must teach or suggest all of the claim limitations. It is respectfully submitted that the applied references fail to make a *prima facie* case of obviousness, because Nakamura and/or Wiser, neither alone nor in combination, teach or suggest all of the features recited in the amended independent claims.

Amended Claim 1, recites, *inter alia* a method of reserving an access and resource in a distribution server, comprising:

...transmitting content from user terminal apparatus to a distribution server via a second network;
broadcasting by the content distribution server, said content data received from said user terminal apparatus over said first network.

Turning to the applied references, Nakamura describes an on-demand communication system including a multimedia server, which is connected to a plurality of clients via a network and which is capable of distributing multimedia content based on a reservation received from one of the client devices.² In Nakamura's system, a multimedia transmission request is sent from a client device (115) to a server device (122) via a network (130) and is stored in an input queue buffer unit (123).³ Once the client transmits the request to the server (120) via the network (130), the information is processed and a reproduction schedule table is generated which stores scheduled transmissions of requested multimedia content to the requesting client over the network.⁴ Thus, Nakamura describes a content distribution system in which a user is able to schedule, or request, specific content to be distributed from the server device to the client terminal at a predetermined time.

Such a system is in clear contrast to the method recited in amended Claim 1. As recited in amended Claim 1, a user terminal apparatus sends a reservation request to a reservation control apparatus to access a distribution server at a requested time. During the requested time, content is transmitted from the user terminal apparatus to the distribution server, which then broadcasts the content from the distribution server over the network. Thus, the reservation is made by the user terminal apparatus to access a distribution server at

² Nakamura, Abstract.

³ Id., col. 1, lines 40-45.

⁴ Id., col. 1, line 53 through col. 2, line 15.

a specified time to *transmit content to the distribution server*, which then *broadcasts the content over a network*..

In contrast, Nakamura describes that the user terminal (101) in his device schedules a time to receive multimedia content distributed from the content server (120), at a predetermined, or prescheduled time. Thus, Nakamura fails to teach or suggest performing the steps recited in amended Claim 1, to reserve a “desired service” time during which a user terminal apparatus transmits content data *to* the distribution server which broadcasts the data over a network.

Turning to the secondary reference, Wiser describes a computer implemented online music distribution system that provide for secure delivery of audio data and related media, including text and images, over a public communication network.⁵ Wiser describes a content distribution system similar to Nakamura, as discussed above, without the step of reserving a specified time during which the content is distributed.

In addressing the features of Claim 1, the outstanding Official Action relies on col. 5, lines 4-20 of Wiser. This cited portion of Wiser describes that content is transmitted to a media player from a content server, after validation of the transaction is conducted by the content manager. Specifically, the media player creates an authentication message based on information received from the content manager, allowing the media player to download and decrypt content data to be stored and reproduced by the media player. Once the media player performs authentication with the content server, the server delivers an audio file to the media player for storage and reproduction.

However, as is the case with Nakamura, Wiser fails to teach or suggest sending reservation request information including a desired service time for distributing content using a distribution server and then transmitting content *to* the distribution server from the user

⁵ Wiser, Abstract.

terminal so that such content data can be broadcast over the network by the content distribution terminal. In contrast, as discussed above, Wiser describes an operation of receiving the content data transmitted from the content server, which is essentially the reverse of the operation recited in amended Claim 1.

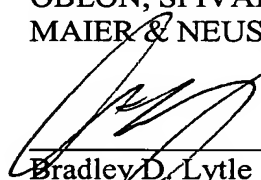
Thus, neither Wiser nor Nakamura neither alone or in combination teach or suggest the above-noted features recited in amended Claim 1.

Accordingly, Applicant respectfully requests the rejection of Claim 1 under 35 U.S.C. § 103 be withdrawn. For substantially the same reasons as given with respect to amended Claim 1, it is also submitted that amended independent Claims 1, 10, 18, 22, 26 and 27 patentably define over the applied references.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted in the invention defined by Claims 1-27 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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IN THE DRAWINGS

Please delete the page designated as Fig. 43. This sheet listed as sheet 43 of 43 was inadvertently filed as a drawing.